

### REMARKS

This Amendment is in response to the Office Action dated November 1, 2007, in which claims 1-19 were rejected. Applicants respectfully request reconsideration and allowance of all pending claims in view of the above amendments and the following remarks.

#### I. OBJECTION TO SPECIFICATION

The arrangement of the specification was objected to, presumably for lacking headings for unused sections. These heading are merely preferred by the PTO but not required. In any case, headings for some of these unused sections have been added to the specification as suggested by the examiner.

#### II. CLAIM OBJECTIONS

Claim 13 is objected to because of minor informalities. Specifically, the Examiner noted: Applicant recites the limitations “9902-928 MHz” which should be “902-928 MHz”.

Claim 13 is amended as suggested in the Office Action.

#### III. CLAIM REJECTIONS – 35 USC §102

Claims 1 and 10-15 are rejected under 35 U.S.C. §102(e) as allegedly being anticipated by Henriksson (US 2005/0052341).

##### A. **Brief Presentation of the Present Application**

Independent claim 1, for example, relates to radiocommunication devices, such as cellular telephones. More precisely the invention recited in claim 1 aims to provide a radiocommunication device capable of implementing two distinct radiocommunication standards, a first standard being for example a GSM standard, and a second standard being for example a walkie-talkie-type standard (also called “push-to-talk”).

The radiocommunication device is capable of operating on at least two transmission frequency bands and at least two reception frequency bands of a first predetermined standard. According to the invention of claim 1, the radiocommunication device comprises means for

implementing communications according to the first predetermined standard and a second predetermined standard, the second standard at least partially using at least one of the frequency bands of the first standard.

Thus, an embodiment of claim 1 may enable a telephone operator to offer new services in a simple manner, without the need to develop an extensive or complex infrastructure, and without the need to allocate new frequency bands.

This feature is supported in the specification, for example on page 3, lines 10-13 (Substitute Specification - clean version), “Thus, it is possible to make the device operate in a second mode (for example, walkie-talkie mode) in bands that are similar, and/or covering the bands used in the first mode (corresponding to conventional radiocommunications)” and on page 5, lines 26-27, “More specifically, the second standard at least partially uses the frequency bands used according to the first standard.”

## **B. Henriksson**

### **1. Henriksson Disclosure**

HENRIKSSON describes a wireless terminal with layered displays that provide different focal lengths and allow a user to view data presented on different layered displays by optically shifting his/her focus.

More precisely (referring to figure 1 of HENRIKSSON), the first display 20 has a first focal length F1 while the second display 30, that is located beneath the first display 20, has a longer focal length F2, with respect to a user.

Thus, HENRIKSSON’s technique allows a wireless terminal to display more information.

### **2. Contrast with the present Disclosure**

As shown in figures 3A and 3B of the present patent application, for example, the invention recited in claim 1 discussed proposes a different approach, which is very effective, and according to which it is possible to make the radiocommunication device operate in a first and a second standards, the second standard at least partially using the frequency bands of the first standard. Thus according to the invention of claim 1, the frequency bands of the first standard overlap with the

frequency bands of the second standard.

On the contrary (see. paragraph 41), HENRIKSSON's technique foresees to use frequencies between 824-894MHz or 880-960MHz for the low frequency band, and frequencies between 1.5-2.5GHz for the high frequency band. HENRIKSSON's document does not disclose any overlapping between frequency bands of a first and a second standard.

The Examiner should therefore agree that HENRIKSSON's document is not relevant to the present invention of claim 1 since it does clearly not suggest to implement second means for implementing communications according to a second standard, at least partially using frequency bands of a first standard.

Similar arguments can be made with respect to independent claim 15.

Since the HENRIKSSON document does not anticipate each and every element of independent claims 1 and 15, Applicants respectfully request that the rejection of claims 1 and 10-15 under §102(e) be withdrawn.

#### IV. CLAIM REJECTIONS – 35 USC §103

Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Henriksson (US 2005/0052341) in view of Shelhammer et al. (US Patent No. 7,039,358).

Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Henriksson (US 2005/0052341) in view of Shelhammer et al. (US Patent No. 7,039,358) and further in view of Garcia (US 2005/0146432).

Claim 4 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Henriksson (US 2005/0052341) in view of King et al. (EP 1026908).

Claims 6-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Henriksson (US 2005/0052341) in view of King et al. (EP 1026908) and further in view of Connor (US 2004/0203353).

Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Henriksson (US 2005/0052341) in view of Segal (US Patent No. 7,031,280).

Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Henriksson (US

2005/0052341) in view of Garcia (US 2005/0146432).

Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Henriksson (US 2005/0052341) in view of Garcia (US 2005/0146432).

Claim 17-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Henriksson (US 2005/0052341) in view of Connor (US 2004/0203353).

In each of these rejections, the HENRIKSSON document was applied as the primary reference, allegedly showing the elements of independent claims 1 and 15. Since the HENRIKSSON document does not in fact disclose the elements of claims 1 and 15, the proposed combinations with the secondary references cited above would therefore also fail to teach or suggest all the elements of each claim or give a person of ordinary skill in the art with any reason to try such a method or apparatus.

Accordingly, Applicants respectfully request that the rejections of claims 2-9 and 16-19 under §103(a) be withdrawn.

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,

WESTMAN, CHAMPLIN & KELLY, P.A.

By /David D. Brush/

David D. Brush, Reg. No. 34,557

900 Second Avenue South, Suite 1400

Minneapolis, Minnesota 55402-3319

Phone: (612) 334-3222 Fax: (612) 334-3312

DDB/AKB